

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

OCT 12 2004

or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless directed below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

PATENT CORRESPONDENCE ADDRESS: (Note: Use Block 1 for any change of address)

028977 7590 07/27/2004

MORGAN, LEWIS & BOCKIUS LLP  
 1701 MARKET STREET  
 PHILADELPHIA, PA 19103-2921

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

10/12/2004 JADDO2 00000023 500310 09927811  
 01 FC:1501 1370.00 DA  
 02 FC:1504 300.00 DA  
 03 FC:0001 APPLICATION \$6.00 DA

Certificate of Mailing or Transmission  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

*Dawn P. Ratchuk* (Depositor's name)  
*Dawn P. Ratchuk* (Signature)  
*October 12, 2004* (Date)

APPLICATION \$6.00 DA	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,811	08/09/2001	Ivano Romano	029474-5006	6260

TITLE OF INVENTION: HEAT-INDUCIBLE PROMOTER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	10/27/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
AKHAVAN, RAMIN	1636	435-069100			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

2. For printing on the patent front page, list

 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

(2) the name of single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

*Morgan, Lewis**+ Bockius, LLP*

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

## (A) NAME OF ASSIGNEE

## (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Rhein Biotech, Gesellschaft für Neue  
Biotechnologische Prozesse und Produkte GmbH

Dusseldorf, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

## 4b. Payment of Fee(s):

 Issue Fee A check in the amount of the fee(s) is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. Advance Order - # of Copies 5 The Director is hereby authorized by change the required fee(s), or credit any overpayment, to Deposit Account Number 50-0310 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant: a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(Authorized Signature)

(Date)

*Dawn P. Ratchuk* *October 12, 2004*

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



MORGAN, LEWIS & BOCKIUS, L.L.P.  
 ATTORNEYS AT LAW  
 1701 Market Street - Philadelphia, PA 19103  
 TELEPHONE: (215) 963-5000 - FACSIMILE: (215) 963-5299  
 E-MAIL: dpratcher@morganlewis.com

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted  
 to the United States Patent and Trademark Office on the date shown below

Darryl Pratcher

Type or print name of person signing certification

Darryl Pratcher

Oct. 12, 2004

Signature

Date

**FACSIMILE COVER SHEET**

**TO:** Mail Stop Issue Fee

**FAX No.:** (703) 746-4000

**Group Art Unit:** N/A

**Date:** October 12, 2004

**From:** Darryl Pratcher

**FAX Operator:** D. Pratcher

**Re:** 29474-5006

**Title of Paper sent via Facsimile:**

**PTOL-85 Part B**

Morgan, Lewis File No: 29474-5006

Page 1 of 2 pages

**IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CONTACT  
 Darryl Pratcher AT 215-963-5101**

**THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND MAY CONTAIN ATTORNEY PRIVILEGED  
 INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR COMPANY NAMED ABOVE.**

If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately call us so that we may arrange for the return of the original message to us. Thank you!

PAGE 1/2 \* RCVD AT 10/12/2004 10:50:04 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/0 \* DNIS:7464000 \* CSID: \* DURATION (mm:ss):01-04